Supervisor Matt Letourneau, Dulles District

Why are so many houses being built? It's a question that I hear frequently, especially in the context of our ongoing traffic woes. This month, I'll answer that question by explaining the way land use works in Loudoun County.

Let me start by saying that one of my greatest frustrations is that infrastructure has not kept up with development. This drives a lot of the transportation work that I'm involved in on the Board of Supervisors. Our Board has made an unprecedented budgetary commitment--$215.4 million in our Capital Improvement Plan to fund road projects in an effort to catch up.

Property rights (the right of a landowner to control his or her land) are at the foundation of land use in Virginia—based on state law and centuries of legal precedent. Loudoun County is governed by a Comprehensive Plan (also known as the Revised General Plan (RGP). Along with the Zoning Ordinance, this guides what is allowed to be built on a particular parcel. For residential zoning, the density, or number of units allowed per acre, includes everything from one unit per 40 acres in Western Loudoun to 24 units per acre for multi-family development in Eastern Loudoun.

There are two types of residential development—by-right and rezonings. By-right development occurs when a developer takes the existing base zoning on a property and simply follows it—so if the property allows one home per acre, then that is what they build. This type of development does not require approval from the Board of Supervisors. Instead, the developer has only an administrative review. By-right development typically results in fewer homes, but the County has no ability to recoup any costs associated with the development.

In contrast, rezoned development is when a developer seeks to build greater density than what is allowed on the Comprehensive Plan. A rezoning requires full legislative review with staff, the Planning Commission, and the Board of Supervisors. Approving a rezoning is at the Board's discretion. While rezonings mean higher density, the County can assess a variety of fees for capital facilities and require infrastructure like roads be built. Fees assessed range from $17,000-$59,000 per unit and are used to construct schools and provide other public services.

Your community of South Riding is an example of a rezoning. Parcels were assembled from different owners to form a planned community with higher density than the original plan. In return for the higher density, the Board of Supervisors at the time of approval collected fees for infrastructure and required the developer to provide school sites and build roads such as Loudoun County Parkway.

In terms of infrastructure, land use is a catch-22 for localities in Virginia. We face a choice—either allow development to occur by-right and get nothing in return, or approve more density and obtain fees to offset costs. In practice, both types of development are occurring right now in Loudoun. For example, in Dulles South, Willowsford is developing by-right, while Stone Ridge is the result of rezonings.

Our Board has taken a very cautious approach on these issues. Almost everything currently being built in our area was either approved years ago by previous Boards, or is being developed by-right.

As your Supervisor, I evaluate land use applications on a case by case basis. There are some instances in which I believe the greater good is served by approving a rezoning, even though it means more units, because a particular key infrastructure project will get done that will benefit everyone. There are others in which I believe the location is not appropriate for more density or the benefit is insufficient to garner my support. **SR**

Matt Letourneau represents the Dulles District on the Loudoun County Board of Supervisors. He took office in January 2012 and serves as Chairman of the Economic Development Committee and on the Finance, Government Services and Operations Committee. If you'd like more information, please email matt.letourneau@loudoun.gov.